

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 21ST NOVEMBER 2006 / 30TH KARTHIKA 1928

WP(C).No. 30586 of 2006(N)

PETITIONERS:

1. T.I. DANIEL, ADVOCATE,
RESIDING AT THEKKEKARA HOUSE,
POST OFFICE ROAD, VADUTHALA.
2. LORETTA GONZAGA, W/O.ALBERT GONZAGA,
KONNULLY HOUSE, VADUTHALA.
3. HELDA JOSEPH, W/O.C.L.JOSEPH,
CHAKKALAKKAL HOUSE, VADUTHALA.

BY ADV. SRI.K.K.CHANDRAN PILLAI

RESPONDENTS:

1. THE GOVERNMENT OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY,
SECRETARIAT, TRIVANDRUM.
2. THE UNION OF INDIA, REPRESENTED BY
ITS SECRETARY, MINISTRY OF RAILWAY, NEW DELHI.
3. COCHIN PORT TRUST, WILLINGTON ISLAND, COCHIN-3,
REPRESENTED BY ITS CHAIRMAN.
4. THE RAIL VIKAS NIGAM LTD.,
MEZZAMINE FLOOR, THIRUNDAI RAILWAY STATION,
MTP FIELD OFFICE, MYLAPORE, CHENNAI-04,
REPRESENTED BY ITS ADDITIONAL GENERAL MANAGER.
5. THE SPECIAL TAHSILDAR (LA),
RAILWAYS, KOCHI-16.
6. THE GENERAL MANAGER,
SOUTHERN RAILWAY PARK TOWN, CHENNAI-600 003.

BY ADV. SRI.ALEXANDER THOMAS, SC,RAILWAYS
R1 BY GOVERNMENT PLEADER MR.D.ANILKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

V.K. BALI, C.J. & S.SIRI JAGAN, J.

W.P.(C) No.30586 of 2006

Dated, this the 21st day of November, 2006

JUDGMENT

V.K.Bali,C.J.(Oral)

Even though it appears from the initial pleadings made in the petition that challenge is to the land acquisition proceedings, but ultimately it is found that challenge is to the railway alignment. The petitioners would prefer one railway alignment to other. This Court has already decided the precise question in W.P.(C) No.30141 of 2006. For parity of reasons given in the judgment in W.P.(C) No.30141 of 2006 dated 20.11.2006 this petition is dismissed.

**V.K. BALI,
CHIEF JUSTICE.**

**S.SIRI JAGAN,
JUDGE.**

vns

